



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/818,558	03/28/2001	Hiroshi Matsuda	862.C2162	9448

5514 7590 02/12/2004

FITZPATRICK CELLA HARPER & SCINTO  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112

EXAMINER
----------

SHAH, NILESH R

ART UNIT	PAPER NUMBER
----------	--------------

2127

DATE MAILED: 02/12/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/818,558

Applicant(s)

MATSUDA ET AL.

Examiner

Nilesh R Shah

Art Unit

2127

-- Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 March 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3-6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6, 8-12, 14-20 are rejected under 35 U.S.C. 102(b) as being anticipated by  
Brendel et al (5, 774, 660) (hereinafter Brendel)

As per claim 1, Brendel teaches a data processing apparatus comprising: processing means for performing a plurality of jobs (col. 6 lines 8-52, col. 9 line 65-col. 10 line 55) ('The plurality of network nodes is connected to the local network. The plurality of network nodes transmit the resources as outgoing data packets over the local network to the network connection point through the computer network to the client.')

management means for managing information about the plurality of job performed by said processing means (fig. 5, col. 17 line 65 –col. 18 line 43) ('The load balancer is sometimes called a scheduler since it assigns or schedules sessions from browser clients to a server')

Art Unit: 2127

generating means for generating a Web page indicating a list of the plurality of jobs managed by said management means (fig. 5, col. 17 line 65 –col. 18 line 43) ('For more complex URL's, such as those containing coordinates of an icon, load balancer 70 needs to decode the URL to determine what resource is being requested. This decoding is normally done by the HTTPD server software. The resource location is thus determined, step 352, and resource-based load balancing can now be performed, step 354. Load balancing occurs among those servers which contain the requested files or resource.') ('The load balancer is sometimes called a scheduler since it assigns or schedules sessions from browser clients to a server'); and

transmission means for transmitting the Web page generated by said generating means to a Web browser (fig. 5, col. 6 lines 8-63, col. 17 line 65 –col. 18 line 43) ('The URL request is assigned to an assigned node in the first subset of the nodes which contain the requested resource and the connection and the session setup are transferred to the assigned node which contains the requested resource. The assigned node reads the requested resource and transmits the requested resource to the client. Thus the assigned node is selected based on a location of the requested resource determined from the URL request.')

As per claim 2, Brendel teaches an apparatus wherein said generating means generates a Web page according to HTML. (fig. 5, col. 17 line 65 –col. 18 line 43) ('For more complex URL's, such as those containing coordinates of an icon, load balancer 70 needs to decode the URL to determine what resource is being requested. This decoding is normally done by the HTTPD server software. The resource location is thus determined, step 352, and resource-based load

Art Unit: 2127

balancing can now be performed, step 354. Load balancing occurs among those servers which contain the requested files or resource.'

As per claim 3, Brendel teaches an apparatus wherein said transmission means transmits a Web page according to HTTP (fig. 5, col. 17 line 65 –col. 18 line 43) ('For more complex URL's, such as those containing coordinates of an icon, load balancer 70 needs to decode the URL to determine what resource is being requested. This decoding is normally done by the HTTPD server software. The resource location is thus determined, step 352, and resource-based load balancing can now be performed, step 354. Load balancing occurs among those servers which contain the requested files or resource.')

As per claim 4, Brendel teaches an apparatus further comprising sorting means for sorting jobs performed by said processing mean: in accordance with types of jobs wherein said generating means generates a Web page on the basis of sorting performed by said sorting means (fig. 5, col. 17 line 65 –col. 18 line 43) ('For more complex URL's, such as those containing coordinates of an icon, load balancer 70 needs to decode the URL to determine what resource is being requested. This decoding is normally done by the HTTPD server software. The resource location is thus determined, step 352, and resource-based load balancing can now be performed, step 354. Load balancing occurs among those servers which contain the requested files or resource.').

As per claim 5, Brendel teaches an apparatus further comprising storing means for storing data

Art Unit: 2127

processed by jobs performed by said processing means, wherein said generating means generates a Web page indicating information about the data stored in said storing means (fig. 5, col. 17 line 65 –col. 18 line 43) ('For more complex URL's, such as those containing coordinates of an icon, load balancer 70 needs to decode the URL to determine what resource is being requested. This decoding is normally done by the HTTPD server software. The resource location is thus determined, step 352, and resource-based load balancing can now be performed, step 354. Load balancing occurs among those servers which contain the requested files or resource.').

As per claim 6, Brendel teaches an apparatus further comprising receiving means for receiving a request from the Web browser, wherein said generating means generates a Web page in accordance with the request received by said receiving means. (fig. 5, col. 17 line 65 –col. 18 line 43) ('For more complex URL's, such as those containing coordinates of an icon, load balancer 70 needs to decode the URL to determine what resource is being requested. This decoding is normally done by the HTTPD server software. The resource location is thus determined, step 352, and resource-based load balancing can now be performed, step 354. Load balancing')

As per claim 8, Brendel teaches an apparatus further comprising sending means for sending data stored in said storing means in accordance with the request received by said receiving means (fig. 5, col. 17 line 65 –col. 18 line 43) ('For more complex URL's, such as those containing coordinates of an icon, load balancer 70 needs to decode the URL to determine what resource is being requested. This decoding is normally done by the HTTPD server software. The resource

Art Unit: 2127

location is thus determined, step 352, and resource-based load balancing can now be performed, step 354. Load balancing')

As per claim 9, Brendel teaches an apparatus wherein said management means rewrites managed information in accordance with the request received by said receiving means (fig. 5, col. 17 line 65 –col. 18 line 43) ('For more complex URL's, such as those containing coordinates of an icon, load balancer 70 needs to decode the URL to determine what resource is being requested. This decoding is normally done by the HTTPD server software. The resource location is thus determined, step 352, and resource-based load balancing can now be performed, step 354. Load balancing occurs among those servers which contain the requested files or resource.').

As per claim 10, Brendel teaches an apparatus wherein said management means manages types of input sources of data handled by a job performed by said processing means (col. 8 line 36- col. 9 line 16) ('Browser 10 imbeds requests and commands and a small amount of data in URL's, which are transmitted to server 22. Each URL contains about 50 to 150 bytes of information, excluding IP addresses and packet headers and other network overhead. A URL often contains information other than a requested file.')

As per claim 11, Brendel teaches an apparatus wherein the types of input sources managed by said management means include a reader for reading an image on a document (col. 8 line 36- col. 9 line 16) ('A URL often contains information other than a requested file. For example, when the user of browser 10 mouse-clicks on a bitmap image displayed on a web page, the relative

Art Unit: 2127

coordinates of the mouse's location when the mouse click occurred are included in the URL:')

('As new types of media become commonplace, sound, animation, and video files will accompany the graphics and HTML files being transmitted from server 22 to browser 10.')

As per claim 12, Brendel teaches data processing apparatus comprising: connection means for connecting said data processing apparatus to an image processing apparatus having a Web server function; receiving means for receiving a Web page indicating a list of a plurality of data managed by said image processing apparatus connected by said connection means (col. 8 line 36- col. 9 line 16) ('A URL often contains information other than a requested file. For example, when the user of browser 10 mouse-clicks on a bitmap image displayed on a web page, the relative coordinates of the mouse's location when the mouse click occurred are included in the URL:') ('As new types of media become commonplace, sound, animation, and video files will accompany the graphics and HTML files being transmitted from server 22 to browser 10.')

input means for inputting an instruction to manipulate one of the plurality of data on the basis of the Web page received by said receiving means (fig. 5, col. 17 line 65 –col. 18 line 43) ('The load balancer is sometimes called a scheduler since it assigns or schedules sessions from browser clients to a server') and

transmission means for transmitting the instruction input by said input means to said image processing apparatus through said connection means (fig. 5, col. 6 lines 8-63, col. 17 line 65 – col. 18 line 43) ('The URL request is assigned to an assigned node in the first subset of the nodes



Art Unit: 2127

which contain the requested resource and the connection and the session setup are transferred to the assigned node which contains the requested resource. The assigned node reads the requested resource and transmits the requested resource to the client. Thus the assigned node is selected based on a location of the requested resource determined from the URL request.’)

As per claim 14, Brendel teaches an apparatus wherein the instruction input by said input means includes an instruction to make said image processing apparatus send the data and an instruction to indicate a destination (col. 8 line 36- col. 9 line 16) (‘A URL often contains information other than a requested file. For example, when the user of browser 10 mouse-clicks on a bitmap image displayed on a web page, the relative coordinates of the mouse's location when the mouse click occurred are included in the URL.’) (‘As new types of media become commonplace, sound, animation, and video files will accompany the graphics and HTML files being transmitted from server 22 to browser 10.’)

As per claim 15, Brendel teaches an apparatus further comprising determination means for determining whether the instruction input by said input means is appropriate, wherein said transmission means does not transmit the instruction if said determination means determines that the input is not appropriate (col. 17 lines 27-65) (‘The load balancer's IP layer processes these IXCP packets as shown in FIG. 15, the tests of steps 308, 310 fail’)

As per claim 16, Brendel teaches control method for a data processing system including a data processing apparatus which has a Web server function and can perform a plurality of jobs and a

Art Unit: 2127

client terminal having a Web browse function (fig. 5, col. 17 line 65 –col. 18 line 43) ('For more complex URL's, such as those containing coordinates of an icon, load balancer 70 needs to decode the URL to determine what resource is being requested. This decoding is normally done by the HTTPD server software. The resource location is thus determined, step 352, and resource-based load balancing can now be performed, step 354. Load balancing occurs among those servers which contain the requested files or resource.')

comprising the steps of causing said data processing apparatus to manage status of the plurality of jobs (fig. 5, col. 17 line 65 –col. 18 line 43) ('For more complex URL's, such as those containing coordinates of an icon, load balancer 70 needs to decode the URL to determine what resource is being requested. This decoding is normally done by the HTTPD server software. The resource location is thus determined, step 352, and resource-based load balancing can now be performed, step 354. Load balancing occurs among those servers which contain the requested files or resource.') ('The load balancer is sometimes called a scheduler since it assigns or schedules sessions from browser clients to a server');

generate a Web page indicating the managed status, and transmit the generated Web page to said client terminal, and causing said client terminal to receive the Web page from said data processing apparatus, and give an instruction to said data processing apparatus on the basis of the received Web page (fig. 5, col. 17 line 65 –col. 18 line 43) ('For more complex URL's, such as those containing coordinates of an icon, load balancer 70 needs to decode the URL to determine what resource is being requested. This decoding is normally done by the HTTPD server

Art Unit: 2127

software. The resource location is thus determined, step 352, and resource-based load balancing can now be performed, step 354. Load balancing occurs among those servers which contain the requested files or resource.’) (‘The load balancer is sometimes called a scheduler since it assigns or schedules sessions from browser clients to a server’).

As per claim 17, Brendel teaches control method for a data processing apparatus, comprising the steps of: managing information about a plurality of jobs performed by said data processing apparatus (fig. 5, col. 17 line 65 –col. 18 line 43) (‘For more complex URL's, such as those containing coordinates of an icon, load balancer 70 needs to decode the URL to determine what resource is being requested. This decoding is normally done by the HTTPD server software. The resource location is thus determined, step 352, and resource-based load balancing can now be performed, step 354. Load balancing occurs among those servers which contain the requested files or resource.’);

generating a web page indicating a list of the plurality of jobs on the basis of: the managed information; and transmitting the generated Web page to the Web browser (fig. 5, col. 17 line 65 –col. 18 line 43) (‘For more complex URL's, such as those containing coordinates of an icon, load balancer 70 needs to decode the URL to determine what resource is being requested. This decoding is normally done by the HTTPD server software. The resource location is thus determined, step 352, and resource-based load balancing can now be performed, step 354. Load balancing occurs among those servers which contain the requested files or resource.’) (‘The load balancer is sometimes called a scheduler since it assigns or schedules sessions from browser

Art Unit: 2127

clients to a server');.

Claims 18-20 are rejected based on the same rejections use in claim 17.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7, 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brendel.

Brendel teaches an input device that manages a plurality of jobs (col. 8 line 36- col. 9 line 16) ('A URL often contains information other than a requested file. For example, when the user of browser 10 mouse-clicks on a bitmap image displayed on a web page, the relative coordinates of the mouse's location when the mouse click occurred are included in the URL:') ('As new types of media become commonplace, sound, animation, and video files will accompany the graphics and HTML files being transmitted from server 22 to browser 10.').

Brendel also teaches the use of using a application to view different images. (fig. 5, col. 17 line 65 –col. 18 line 43) ('For more complex URL's, such as those containing coordinates of an icon, load balancer 70 needs to decode the URL to determine what resource is being requested. This decoding is normally done by the HTTPD server software. The resource location is thus determined, step 352, and resource-based load balancing can now be performed, step 354. Load balancing occurs among those servers which contain the requested files or resource')

Art Unit: 2127

The examiner takes official notice that the printing of an image is well known in the art. It is very common for a browser to be used to open an image on a website and then one is able to print the image. For example Microsoft's Internet Explorer has an option to print the file directly from the file menu. One skilled in the art would want to add the use of printing an image to ensure printing is able to be done within a browser for the sake of ease. By being able to print from a browser one saves time and resources.

### *Conclusion*


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nilesh R Shah whose telephone number is 703-305-8105. The examiner can normally be reached on Monday-Friday 8am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng An can be reached on 703-305-9678. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

NS

February 1, 2004



MENG-AL T. AN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100